

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

<b>SEALED PLAINTIFF 1,</b>	)	
	)	
<b>and</b>	)	
	)	
<b>SEALED PLAINTIFF 2,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	<b>Civil Action No. 3:22cv670-MHL</b>
	)	
<b>PATRIOT FRONT, <i>et al.</i>,</b>	)	
	)	
<b>Defendants.</b>	)	

**AGREED MOTION FOR EXTENSION OF TIME  
AND INCORPORATED MEMORANDUM**

Plaintiffs, by counsel and pursuant to Fed. R. Civ. P. 6(b)(1) and Local Civil Rule 7(F)(2)(b), hereby move this Court for an extension of time, up to and including March 29, 2023, within which to file a brief in opposition to the motion to dismiss filed by Defendants Nathan Noyce and Thomas Dail. Plaintiffs state in support of this unopposed motion:

1. Defendants Noyce and Dail filed and served a Rule 12(b)(6) motion to dismiss on March 1, 2023.
2. Plaintiffs' brief in opposition to the motion is currently due by March 15, 2023.
3. Plaintiffs request a two-week extension of that deadline, until March 29, 2023. The motion raises several constitutional and statutory grounds, and Plaintiffs desire sufficient time to prepare a thorough brief for the Court addressing those grounds. Also, Plaintiffs understand that counsel for Noyce and Dail may represent two additional defendants, Paul Gancarz and Daniel Turechi and, if so, those Defendants are likely to file a motion to dismiss adopting the pending motion to dismiss without additional grounds. An extension would allow Plaintiffs to confirm no

new grounds are raised and then file a single brief responding to all the four Defendants' motions to dismiss. We also are advised that Defendant Gancarz may file a separate motion based on insufficiency of service of process, which would be subject to a separate briefing schedule.

4. No prior motions for extension of time have been made for Plaintiff's brief.
5. This extension is not meant for improper delay of this proceeding.
6. Counsel for Defendants Noyce and Dail have told Plaintiffs' counsel that they consent to this motion.

WHEREFORE, Plaintiffs requests that this Court grant then an extension of time up to and including March 29, 2023 to file a brief in opposition to the pending motion to dismiss. A proposed order is attached.

Respectfully submitted,

By: /s/Michael R. Shebelskie  
Counsel

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**CERTIFICATE OF SERVICE**

I certify that on March 8, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send electronic notification of the same to the following counsel of record:

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*Nathan Joyce and Thomas Dail*

I further certify that I emailed the foregoing on March 8, 2023 to the following:

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*Counsel for Plaintiffs*

# **EXHIBIT 1**

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FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

<b>SEALED PLAINTIFF 1,</b>	)	
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<b>and</b>	)	
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<b>SEALED PLAINTIFF 2,</b>	)	
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<b>Plaintiffs,</b>	)	
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<b>v.</b>	)	<b>Civil Action No. 3:22cv670-MHL</b>
	)	
<b>PATRIOT FRONT, <i>et al.</i>,</b>	)	
	)	
<b>Defendants.</b>	)	

**ORDER GRANTING MOTION FOR EXTENSION OF TIME**

UPON CONSIDERATION of the Agreed Motion for Extension of Time filed by Sealed Plaintiff 1 and Sealed Plaintiff 2 (collectively “Sealed Plaintiffs”), the entire record herein, and for good cause shown, it is hereby

ORDERED, ADJUDGED AND DECREED that the Motion to GRANTED; and it is further

ORDERED, ADJUDGED AND DECREED that Sealed Plaintiffs shall have up to an including March 29, 2023 to respond to the pending motion to dismiss by Defendants Nathan Noyce and Thomas Dail.

It is so Ordered this \_\_\_\_\_ day of March, 2023.

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United States District Judge